

***United States Court of Appeals
for the
District of Columbia Circuit***



**TRANSCRIPT OF
RECORD**

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Court of Appeals, District of Columbia

APRIL TERM, 1902.

No. 1209.

160

ELWOOD B. BLANDY, APPELLANT,

vs.

CLARA A. BLANDY.

APPEAL FROM THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

FILED APRIL 23, 1902.

COURT OF APPEALS OF THE DISTRICT OF COLUMBIA.

APRIL TERM, 1902.

No. 1209.

ELWOOD B. BLANDY, APPELLANT,

vs.

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In the Court of Appeals of the District of Columbia.

ELWOOD B. BLANDY }
vs. } No. 1209.
CLARA A. BLANDY. }

a Supreme Court of the District of Columbia.

ELWOOD B. BLANDY }
vs. } No. 22568. In Equity.
CLARA A. BLANDY. }

UNITED STATES OF AMERICA, } ss:
District of Columbia, }

Be it remembered that in the supreme court of the District of Columbia, at the city of Washington, in said District, at the times hereinafter mentioned, the following papers were filed and proceedings had in the above-entitled cause, to wit:

1 *Bill and Exhibit.*

Filed August 29, 1901.

In the Supreme Court of the District of Columbia.

ELWOOD B. BLANDY, Complainant, }
vs. } In Equity. No. 22568.
CLARA A. BLANDY, Defendant. }

To the honorable the justice of the supreme court of the District of Columbia, holding an equity term:

Your petitioner, Elwood B. Blandy, respectfully shows:

1. That he is a citizen of the United States, a resident in the State of New Jersey, and brings this suit in his own right, as hereinafter set forth.

2. That the defendant is also a citizen of the United States; that she is a resident of the District of Columbia, and that she is sued for divorce, as hereinafter set forth.

3. That your petitioner and the defendant were married in the city of Baltimore, Maryland, on the thirteenth day of March, 1876, as appears by the certificate hereto attached, made a part hereof and marked "Exhibit A;" that one child, named Thornton, was born to your complainant and the defendant; that said son is now of full age, and that he resides, your complainant is informed and believes, in the city of Washington, D. C.

4. That during the month of April, in the year 1890, the defendant wilfully and without just cause or provocation deserted your complainant, who was then residing in Winton Place, Ohio, and went to live with her mother in the said city of Washington, where she has since remained, and from whence, prior to her incarceration, hereinafter set forth, she persistently declined to return to your complainant, although often requested so to do.

5. That several years subsequent to the defendant's arrival in Washington, through some cause unknown to your complainant, she became insane, and was, in conformity with the usual procedure in that regard, committed to the Government Hospital for the Insane in the District of Columbia, where she has since been, and now is, a patient. A duly authenticated copy of said commitment is hereunto attached, made a part hereof and marked "Exhibit B."

6. That said desertion has continued for the full uninterrupted period of two years, and that your complainant has not, since the defendant deserted him as aforesaid, cohabited with her, although he was always ready and willing, prior to her said incarceration, to receive and provide for her in his home.

Wherefore, the premises considered, your complainant prays:

Prayers.

1. That process of subpoena may issue requiring the defendant to appear and answer the exigencies of this bill of complaint, but not under oath, answer under oath being hereby expressly waived.

2. That the court will appoint a guardian *ad litem*, in behalf of the defendant, to make answer hereto and represent her in these proceedings.

3. That by the decree of the court the bond of marriage between your complainant and the defendant may be dissolved, and that the complainant may be divorced absolutely from the defendant.

4. And for such other and further relief as to the court may seem equitable and just.

ELWOOD B. BLANDY.

CITY, COUNTY, AND STATE OF NEW YORK, ss.

I, Elwood B. Blandy, being duly sworn, on oath say that I have read the foregoing bill by me subscribed and know the contents thereof; that the matters and things therein stated of my own knowledge are true, and that the matters therein stated upon information and belief I believe to be true.

ELWOOD B. BLANDY.

Subscribed and sworn to before me this 27th day of August, A. D. 1901.

[SEAL.]

G. ARTHUR PENDREIGH,
Notary Public, Kings Co., N. Y.

4

"EXHIBIT A."

THE STATE OF MARYLAND, }
City of Baltimore, } *set:*

To all whom it doth or may concern:

This is to certify that on the 15th day of March, in the year of our Lord one thousand eight hundred 76, the Rev. C. C. Pennick, a minister of the gospel, certified under his hand to the clerk of the court of common pleas in the eighth judicial circuit of the State of Maryland that he had on the 13th day of March, in the year A. D. 1876, joined in the bonds of holy matrimony a certain Elwood B. Blandy, resident of Balto. city, in the State of Maryland, whose age was 21 years; color, white; condition, single; occupation, clerk, and a certain Clara A. Robinson, of Washington, D. C., whose age was 18 years; color, white; condition, single; occupation, none, as appears by the record of marriages in the clerk's office of the court of common pleas, which record is now in my custody and keeping.

(I. R. stamp.)

In testimony whereof I have hereunto set my hand and affixed the seal of the court of common pleas this 1st day of July, 1901.

[SEAL.]

JAMES H. LIVINGSTON, *Clerk.*

5

MARYLAND, *set:*

I, J. Upshur Dennis, judge of the supreme bench of Baltimore city, assigned to and presiding in the court of common pleas in the eighth judicial circuit of said State, do certify that the foregoing attestation of James H. Livingston, clerk of the said court of common pleas, is in due form and by the proper officer.

Given under my hand, at the city of Baltimore, this 23rd day of August, in the year one thousand nine hundred and one.

J. UPSHUR DENNIS.

6

STATE OF MARYLAND, }
City of Baltimore, } *set:*

I, James H. Livingston, clerk of the court of common pleas, do hereby certify that the Honorable J. Upshur Dennis, who has certified and signed the above attestation, was, at the time of so doing, presiding judge of the court of common pleas in the eighth judicial circuit of the State of Maryland, duly commissioned and qualified, and that to all acts done by him in that capacity full faith and credit are due and ought to be given; and I hereby further certify that his signature thereto is genuine.

In testimony whereof I hereunto subscribe my name
 [SEAL.] and affix the seal of the court of common pleas on this
 23rd day of August, A. D. 1901.

JAMES H. LIVINGSTON,
Clerk of the Court of Common Pleas.

"EXHIBIT B."

L. R. 186,594.

Refer in reply to No. 63707.

OFFICE OF THE COMMISSIONERS,
DISTRICT OF COLUMBIA,
WASHINGTON, D. C., *September 10th, 1892.*

SIR: Clara A. Blandy, an insane person residing in the District of Columbia at the time she became insane, and having so been found by due process of law, as has been attested to us by the order of Daniel M. Ramsdell, U. S. marshal of the District of Columbia (a duly certified copy whereof is on file in this office), this is to request you to admit the said Clara A. Blandy to the benefits of the Government Hospital for the Insane by virtue of the statute in such case made and provided.

[SEAL.] Witness my hand and the seal of the District of Columbia this 12th day of September, A. D. 1892.

By order of the Commissioners of the District of Columbia:

WILLIAM TINDALL, *Secretary.*

To Dr. W. W. Godding, in charge of Government Hospital for the Insane in the District of Columbia.

I hereby certify that the above is a correct copy of the commitment paper of Clara A. Blandy.

A. B. RICHARDSON,
Superintendent.

Application for Appointment of Guardian.

Filed October 2, 1901.

In the Supreme Court of the District of Columbia.

ELWOOD B. BLANDY, Complainant,	} In Equity. No. 22568.
vs.	
CLARA A. BLANDY, Defendant.	

Comes now the complainant in the above-entitled case, by his solicitors, and suggests to the court that the defendant herein is a person of unsound mind and is now an inmate of the Government Hospital for the Insane in the District of Columbia, as appears by a duly certified copy of the commitment attached to the bill of complaint herein, marked "Exhibit B," and that the said defendant has been duly served by the marshal of the District of Columbia with process of subpoena, as prayed in said bill.

Wherefore your complainant prays that this court will appoint a guardian *ad litem* to appear for and represent the said defendant in the proceedings herein, and to make answer to the matters set forth in the said bill of complaint.

H. W. VANDYKE AND
E. W. VANDYKE,
Solicitors for Complainant.

9

Order Appointing Guardian.

Filed October 2, 1901.

In the Supreme Court of the District of Columbia.

ELWOOD B. BLANDY, Complainant,	}	In Equity. No. 22568.
vs.		
CLARA A. BLANDY, Defendant.		

It appearing to the court that the defendant in the above-entitled case has been duly served with process of subpoena herein and that the said defendant is a person of unsound mind, it is this 2nd day of October, A. D. 1901, ordered that Thornton B. Blandy be, and he is hereby, appointed guardian *ad litem* to appear for and represent the defendant in the proceedings herein and to make answer to the matters set forth in the bill of complaint in the above-entitled case.

By the court:

A. C. BRADLEY,
Associate Justice.

Answer of Defendant by Guardian ad Litem.

Filed December 3, 1901.

In the Supreme Court of the District of Columbia.

ELWOOD B. BLANDY, Complainant,	}	In Equity. No. 22568.
vs.		
CLARA A. BLANDY, Defendant.		

10 Comes now the defendant in the above-entitled case, by her guardian *ad litem*, duly appointed by the order of this honorable court, passed herein on the 2nd day of October, A. D. 1901, and for answer to the bill of complaint herein says that he admits each and every of the allegations therein contained.

T. B. BLANDY.

Testimony on Behalf of Complainant.

Filed December 3, 1901.

In the Supreme Court of the District of Columbia.

ELWOOD B. BLANDY, Complainant,	}	In Equity. No. 22568.
vs.		
CLARA A. BLANDY, Defendant.		

Be it remembered that at an examination of witnesses begun and held on the 20th day of November, A. D. 1901, at four-thirty o'clock p. m., at the office of E. W. Van Dyke, Esq., 619 14th street northwest, in the city of Washington, District of Columbia, and on

the 26th day of November, 1901, at four-thirty o'clock p. m., at the office of the examiner, 416 5th street northwest, pursuant to the annexed notice and adjournment, personally appeared before me, Guy H. Johnson, an examiner in chancery of the supreme court of the District of Columbia, the within-named Thornton B. Blandy and Rosalie Robinson, who, being produced as witnesses of lawful age for and on behalf of the complainant and being first duly sworn and cautioned to tell the truth, the whole truth, and nothing but the truth touching the matters at issue in the above-entitled cause, did depose and say as hereinafter set forth.

GUY H. JOHNSON, *Examiner.*

11 In the Supreme Court of the District of Columbia.

ELWOOD B. BLANDY, Complainant,	} In Equity. # 22568.
vs.	
CLARA A. BLANDY, Defendant.	

WASHINGTON, D. C., *November 17, 1901.*

On the application of E. W. Van Dyke, Esq., solicitor for the complainant, Elwood B. Blandy, and under the order of the court passed in the above-entitled cause, I hereby appoint Wednesday, the twentieth day of November, A. D. 1901, at 4.30 o'clock p. m., as the time, and the office of said solicitor at No. 619 14th street northwest, in the city of Washington, District of Columbia, as the place, when and where depositions will be taken before me on behalf of said complainant.

GUY H. JOHNSON,
Examiner in Chancery.

To Mr. Thornton B. Blandy, guardian *ad litem* for defendant, Washington, D. C.

DEAR SIR: Please take notice that at the time and place above mentioned I will proceed to take depositions on behalf of the complainant in the above-entitled cause.

E. W. VANDYKE,
Solicitor for Complainant.

Service acknowledged and a copy of the above given me this 19th day of November, A. D. 1901.

T. B. BLANDY,
Guardian ad Litem.

12 WEDNESDAY, *November 20, 1901*—Four-thirty o'clock p. m.

Met pursuant to notice at the office of E. W. Van Dyke.

Appearances: E. W. Van Dyke, Esq., solicitor for the complainant, and Thornton B. Blandy, guardian *ad litem* for the insane defendant.

Whereupon THORNTON B. BLANDY, being called as a witness for and on behalf of the complainant and being first duly sworn, deposes and says:

Direct examination.

By Mr. VAN DYKE:

Q. What is your name, age, residence, and occupation?

A. Thornton B. Blandy; I am 25 years of age; I live at No. 3036 P street northwest, in this city, and I am employed as a salesman by R. P. Andrews & Co., paper dealers.

Q. Are you related in any way to the complainant and the defendant in this cause?

A. Yes, sir; I am their son.

Q. What other relation, if any, do you bear to the defendant?

A. I am her guardian *ad litem* appointed by the court in this case to represent her interests.

Q. You are acquainted with the grounds upon which this application for divorce is based, are you not?

A. I am.

Q. What is your father's occupation?

A. For a number of years he was a travelling salesman, but is now manager for a firm in New York.

13 Q. Where were your father and mother living at your earliest recollection?

A. At Cincinnati, Ohio.

Q. Are they living together now?

A. No, sir.

Q. How long has it been since they ceased living together?

A. About ten years, I should say.

Q. Just state what you know in reference to the separation between your mother and father, and state where the separation occurred.

A. They were residing in Winton Place, six miles from Cincinnati, Ohio. I think her mind was slightly unbalanced when she left him.

Q. Well, at what time did she leave him?

A. As I said before, it was about ten years ago.

Q. Just state the circumstances as near as you can.

A. I don't know what more I can state, except that she left him.

Q. Do you know whether or not she left him at his request?

A. Well she left him of her own accord. There was some differences between my father and mother, and she left him.

Q. Where did she go when she deserted him?

A. She came here to her mother's, in Washington.

Q. Where is your mother now?

A. She is now in the Government Hospital for the Insane, at Anacostia, in this District—that is, she was the last I heard of her.

Q. Do you remember the date on which she went there?

A. Indeed, I don't.

14 Mr. VANDYKE: I here offer in evidence the certificate marked "Exhibit B," attached to the bill of complaint in this cause, which stated that the defendant became an inmate of the Government Hospital for the Insane in September, 1892.

Q. What time elapsed between her return to her mother in this city and her admission to the Government Hospital for the Insane?

A. I think it was about three years.

Q. Do you know whether or not your father during the time since your mother left him, as stated by you, has offered to provide for her support and maintenance if she would return to him?

A. He never did to me. Whether or not he has done so to her I cannot say.

Q. I asked you whether or not he had ever offered to support and maintain her if she would return to him.

A. Well, I am under the impression that he did do so. I think he did.

Q. Do you know whether or not they have lived together in this city or elsewhere since the time when she left him, as you have testified, and the time when she went to the insane asylum?

A. I know positively that my father and mother have never lived together since she left him in Cincinnati over ten years ago.

Q. I believe you said that your mother was now an inmate of the Government Hospital for the Insane.

A. Yes, sir.

Q. Has she been there continuously since she went there in 1892?

A. Yes, sir.

15 Q. Have you visited your mother from time to time since she has been at the Government Hospital for the Insane?

A. I cannot say that I have visited her from time to time. Her sister has been going there regularly, but I have been there on different occasions to see her.

Q. I believe I omitted to ask you whether or not you have always resided with your mother until she went to St. Elizabeth's?

A. Yes, sir.

Q. And would you have known the fact if your mother and father had lived together between the time when she left him and the time when she went to the Government Hospital for the Insane?

A. Yes, sir.

Q. Are you acquainted with your mother's handwriting?

A. Yes, sir.

Q. I show you certain letters purporting to have been written by your mother to your father, and ask you to state whether or not they are in her handwriting and were written by her.

A. Yes, sir.

Mr. VAN DYKE: I here offer in evidence two letters from Mrs. Blandy to her husband, the complainant; the same are filed herewith, marked "Exhibits A and B."

T. B. BLANDY.

Subscribed and sworn to before me this 26th day of November A. D. 1901.

GUY H. JOHNSON, *Examiner*.

16 Adjourned to meet at four-thirty o'clock p. m. on Tuesday, November 26, 1901, at the office of the examiner, room 207, 416 5th St. northwest.

TUESDAY, *November 26th*, 1901—four-thirty o'clock p. m.

Met pursuant to adjournment at the office of the examiner, No. 416 Fifth street northwest, in said city of Washington.

Appearances: E. W. Van Dyke, Esq., solicitor for the complainant, and Thornton B. Blandy, guardian *ad litem* for the insane defendant.

Whereupon ROSALIE ROBINSON, being called as a witness of lawful age for and on behalf of the complainant and being first duly sworn, deposes and says:

My name is Rosalie Robinson; my age is 47; my occupation is clerk in the Treasury Department in this city. I am a resident of the city of Washington, in the District of Columbia. I am acquainted with both the complainant and the defendant in this cause; the defendant is my sister. The complainant and defendant were married in the city of Baltimore, in the State of Maryland, on the 13th day of March, 1876, and for a time thereafter lived together as man and wife in the State of Ohio. In the month of February, 1890, the defendant left the complainant and returned to her home in the city of Washington, where she has resided ever since

17 and where I also resided. It is a matter of family knowledge that the defendant deserted the complainant because of certain differences which existed between them, and that she left him of her own accord. I am of the opinion that her mind was slightly unbalanced at that time. Although requested by her husband to return to him, she declined to do so or to live with him, and since her return to this city the complainant and defendant have never lived together.

In 1892 the complainant became insane and was sent to the Government Hospital for the Insane in this District, where she has remained ever since and where she now is.

ROSALIE ROBINSON.

Subscribed and sworn to before me this 27th day of November, A. D. 1901.

GUY H. JOHNSON, *Examiner*.

18 I hereby certify that the foregoing depositions of two witnesses (comprising eight typewritten pages) *was* taken down by me in typewriting, as an examiner in chancery, from the statements when and as uttered by the respective deponents thereof, and *was* thereupon read and subscribed by the deponents thereof in my presence.

And I further certify that my fee of seven and one-half dollars for taking, certifying, and returning the said depositions has not been paid to me by the complainant.

And I further certify that I am not attorney nor of counsel nor in anywise interested in the event of this cause.

GUY H. JOHNSON, *Examiner*.

“EXHIBIT A.”

WASHINGTON, D. C., Apr. 11th, '90.

DEAR BEAUM: I have received both of your letters, the last one written at Terre Haute this morning. I am sorry to hear you are not well and I do not want to say or do anything to annoy you and am sure I meant no insult in anything I said in my last letter. I tried to write only what was true.

You say you did not want me to leave you—then you have changed your mind again for you told me long ago to go—and lately you have made it so that even I could bear no more and there was nothing else for me to do, but go as you always intended I should. You say I accuse you unjustly—I neither accuse or judge you and no one there in Winton Place who will tell the truth can say I ever said one word of harm against you, tho' in my heart I was bitter because of your treatment of us. Every one knew how we lived and I could do nothing to keep them from knowing, tho' I tried to.

For some time before we left people men and women, colored and white looked at me when they did chance to meet me in an insolent insulting manner. Two days before we left two ladies who had always spoken to me got on the train, looked straight in my face and did not speak and when Thorne spoke they treated him the same—I do not understand—and have no idea of what has been said or done—Cannot you explain? From some allusions made by you before we left you must know what it means if indeed you are not as I suppose really at the bottom of it. Thorne is very
 20 ***bitter***, and says he will never go back there. If I did wrong in being persuaded in to doing what my conscience never approved of it was done for your sake and at your demand, and I shall repent the remainder of my life.

Beaum try to believe me when I tell you I bear you no ill will nor unkindly feeling, but I can never return to you and you do not really deserve it.

The mistake I made in going to you when you did not want us I will rectify as soon as I can. No power on earth could ever get me back to Winton Place and as for going anywhere else—I shall not ask you to give up business or any other interests for me, it is best now to understand that you and I can never live together again, tho' I shall always regret many things that cannot now be altered. I have sought no one's advice, my family have nothing to say whatever and I have said as little as possible of our trouble to them. I have not been well at all since we came, Thorne was real sick for

two days with a bad sore throat but is well again now we took cold on the train. He has been trying to get employment and says he will beg before he will go back there again. You say if I do not care for you I must consider Thorne. There is no use in my telling you of my feeling for you it has counted for nothing from the start and Thorne's welfare and happiness has been my first and last consideration always. After we got on the train I asked him if he would like to go back and since we came here, but he says he will not that you told us to go, and heard you long ago say that you did not believe he belonged to you. I have no desire to put Thorne down on you and never had as you so often said and any time you care to see him or have him with you and *he wishes it* I shall raise no objection. I tried always to have him care for you but

21 you said and did so many things, to arouse his resentment and pride that he cannot overlook it. And I have not made him think I was right and you wrong, but he knows that whatever mistakes I made, I was lead into by my love for both him and you, and if you had only assisted me, the home and our whole life would have been a happier one. But I have no desire to accuse or upbraid you now whatever was done is past and gone, but I must do now what is right, let the punishment be what it may. Of course I cannot remain dependent upon my people they are not able to support me in idleness and as soon as I feel rested and my health improves I shall get something to do—and work hard for a home for myself and Thorne. All I shall ask of you is that some provision be made for Thorne, that is only common justice. You said lately all you had bought and put in the house was worth two thousand dollars if that is so cannot you dispose of it and settle that on Thorne. I have never said or thought there was no good or virtue in you—I asked your mother to keep the letter I wrote her and let you see it some time then you will know I did think there was some good in you—and I hope you will live to be a happy, prosperous man if possible—I do not understand what your object is in saying you love me dearly—you must know it is impossible after all you have said for me to believe *that*. The *P. O. M. O. I cannot accept and return it to you.*

If life in heaven is no happier than mine has been the past four years then I would not as you say be happy even there, but the hope of that is certainly all I have now to look to.

22 Life would have been happy for both of us if you had only willed it so, but it is too late now to talk or think of that, and it was never meant to be.

I gave your love to Thorne, as you requested, but he said nothing.

Yours &c.

CLARA A. BLANDY.

Endorsed: 11, 23, '01. Han-writing identified as that of my mother. T. B. Blandy.

"EXHIBIT B."

WASHINGTON, D. C., *June 9, '90.*

DEAR BEAUM: I did not answer your last letter because the one I wrote to you before that one was returned to me from the Gibson house, Cin. some time ago.

You said in previous letters that you would try and do better every way if I would only make a visit and return to you, and that you would stop traveling as soon as you could find something that would pay you as well. Now Beaum, for our dear boy's sake, I am willing to make many sacrifices, but everything would have to be changed, to what it was when we were with you. First, I do not think it would be wise to leave my mother's house, until you could provide a house of our own for us where we could know we really had a home, and you would also give up traveling and go into some business that would not require such long, frequent absences from home. That lonely unsettled life with nothing definite about it could not be lived again. You said you never would go anywhere with me, that too would have to be altered and some allowance made for my individual expenses for clothes and other things that a wife has a right to, as long as she is doing her part and is not extravagant.

I am indeed gratified at the interest that you express for our boy, and you know how much I have his welfare at heart, and I would do much to secure for him the *the* training that is best adapted to make him a good man, and useful citizen.

You may not be aware that the schools of the District have a most superior system of military education. Then there are more opportunities for the education of youth for a military life here if you are thinking of having him go in the army although Thorne has no idea of anything of that kind now. Think this over Beaum if it is really his welfare you have at heart. You must not ever strike me again because I go about with him and I would expect to go with him at any and every time I wanted to. I want to do my whole duty as a wife and mother.

Any money Beaum you can spare just now I would be ever so much obliged for to be used for necessary expenses for Thorne.

We are both very well and have not been sick a day since coming except for a short while after we got here as we took cold on the train—I live out of doors and he is employed all day, because it was too late to enter him at school after we got here.

Yours sincerely,

CLARA A. BLANDY.

Endorsed: 11, 23, '01. Handwriting identified as that of my mother. T. B. Blandy.

24

Decree Dismissing Bill.

Filed December 28, 1901.

In the Supreme Court of the District of Columbia.

ELWOOD B. BLANDY	}	No. 22568. Equity.
vs.		
CLARA A. BLANDY.		

This cause having been submitted for decree upon the petition, proceedings, and testimony, and it appearing that the petitioner is not and at the time of filing his petition was not and never had been a resident of the District of Columbia, it is this 23rd day of December, 1901, ordered, adjudged, and decreed that the petition be, and it hereby is, dismissed.

A. C. BRADLEY, *Justice.**Appeal.*

Supreme Court of the District of Columbia.

ELWOOD B. BLANDY	}	In Equity. No. 22568.
vs.		
CLARA A. BLANDY.		

The clerk will please enter an appeal herein to the Court of Appeals.

E. W. VANDYKE,
Sol'r for Compl't.

Appeal entered.
1902, 1, 10.
BY CLERK.

25

Memorandum.

January 13, 1902.—\$25 deposited in lieu of appeal bond.

26

In the Supreme Court of the District of Columbia:

ELWOOD B. BLANDY	}	No. 22568. In Equity.
vs.		
CLARA A. BLANDY.		

The President of the United States to Clara A. Blandy, Greeting:

You are hereby cited and admonished to be and appear at a Court of Appeals of the District of Columbia, upon the docketing the cause therein under and as directed by the rules of said court, pursuant to an appeal entered in the supreme court of the District of Columbia on the 10th day of January, 1902, wherein Elwood B. Blandy is appellant and you are appellee, to show cause, if any there be, why

the decree rendered against the said appellant should not be corrected and why speedy justice should not be done to the parties in that behalf.

Witness the Honorable Edward F. Bingham, chief justice of the supreme court of the District of Columbia, this 13th day of January, in the year of our Lord one thousand nine hundred and two.

JOHN R. YOUNG, *Clerk.*

[Endorsed:] No. 22568. Equity. Elwood B. Blandy vs. Clara A. Blandy. Citation. Issued Jan'y 15, 1902. Served copy of the within citation on —. Not served because marshal's fee not paid. M'ch 15, 1902. Aulick Palmer, marshal. E. W. Van Dyke, attorney for appellant. Served copy of within citation on Thornton B. Blandy, guardian for appellee. M'ch 27, 1902. Aulick Palmer, marshal.

27 UNITED STATES OF AMERICA, } ss:
District of Columbia,

Supreme Court of the District of Columbia.

I, John R. Young, clerk of the supreme court of the District of Columbia, hereby certify the foregoing pages, numbered from 1 to 26, inclusive, to be a true and correct transcript of the record, as prescribed by rule 5 of the Court of Appeals of the District of Columbia, in cause No. 22568, equity, wherein Elwood B. Blandy is complainant and Clara A. Blandy is defendant, as the same remain upon the files and of record in said court.

In testimony whereof I hereunto subscribe my name and affix the seal of said court, at the city of Washington, in said District, this 20th day of March, A. D. 1902.

JOHN R. YOUNG, *Clerk.*

Endorsed on cover: District of Columbia supreme court. No. 1209. Elwood B. Blandy vs. Clara A. Blandy. Court of Appeals, District of Columbia. Filed Apr. 23, 1902. Robert Willett, clerk.

